

**MINUTES**  
**KEWEENAW BAY INDIAN COMMUNITY**  
**SPECIAL COUNCIL MEETING**  
**TRIBAL CENTER CONFERENCE ROOM**  
**THURSDAY – JUNE 4, 2009 – 9:00 A.M.**

- A. Date: June 4, 2009
- B. Call to Order: President Swartz called the meeting to order at 9:12 a.m.
- C. Invocation: Lord’s Prayer
- D. Roll Call: Present: Warren C. Swartz, Jr., President  
Susan J. LaFerner, Vice-President  
Toni J. Minton, Secretary  
William E. Emery, Assistant Secretary  
Jerry Lee Curtis  
Fred Dakota (left 9:30 – 10:34 a.m.)  
Gary F. Loonsfoot, Sr. (left at 2:37 p.m.)  
Elizabeth “Chiz” Matthews (arrived at 10:10 a.m.)  
Elizabeth D. Mayo (arrived at 10:20 a.m., left at 4:45 p.m.)  
Isabelle Helene Welsh  
Absent: Jennifer Misegan, Treasurer  
Michael F. LaFerner, Sr.
- E. Declaration of Quorum: President Swartz declared a quorum present and proceeded with the order of business.
- F. Approval of Agenda: June 4, 2009

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE THE AGENDA. SUPPORTED BY FRED DAKOTA. SEVEN IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Michael F. LaFerner, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), MOTION CARRIED.**

G. For Your Information:

1. Siscowet Workshop July 28<sup>th</sup> 9:00 a.m. – 4:30 p.m. at Ojibwa Casino Resort
2. Lake Superior Technical Committee Meeting July 29-30 at Ojibwa Casino Resort

3. Spaghetti Benefit Dinner for Lisa Bressette and Family who lost everything in the Ishpeming Fire Wednesday, June 10<sup>th</sup> 4:00 – 8:00 p.m. at Bayou Bar and Grill

H. Closed Session:

1. Gregg Nominelli, Economic Developer - Comprehensive Strategic Plan Review/Update
2. Pauline Spruce, Personnel – (2) Radio General Manager Interviews
3. Lynn Haataja, Baraga Interim General Manager/David Haataja, Marquette General Manager/Larry Denomie III, CEO – Proposal - **1:00 p.m.**
4. Todd Warner, NRD –
  - a) Hatchery Well Re-Development Contract
  - b) NRD Offices
5. Kathy Mayo, Community Health Director/Christoph Geiger, Tribal Attorney – Stephanie Pinnow Contract
6. Larry Denomie III, CEO
7. Warren C. Swartz, Jr., President – Tribal Member Request KB-16-09

**MOTION MADE BY GARY F. LOONSFOOT, SR. TO GO INTO CLOSED SESSION AT 9:17 A.M. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Gary F. Loonsfoot, Sr., Isabelle H. Welsh), ONE OPPOSED (Fred Dakota), ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Elizabeth “Chiz” Matthews, Elizabeth D. Mayo), MOTION CARRIED.**

**Fred Dakota left 9:30 – 10:34 a.m.**

**Elizabeth Matthews arrived at 10:10 a.m.**

**Break: 10:18 – 10:30 a.m.**

**Elizabeth Mayo arrived at 10:20 a.m.**

**Lunch: 12:10 – 1:27 p.m.**

**Gary Loonsfoot, Sr. left at 2:37 p.m.**

**Break: 2:43 – 2:59 p.m.**

**MOTION MADE BY ELIZABETH D. MAYO TO GO INTO OPEN SESSION AT 3:00 P.M. SUPPORTED BY SUSAN J. LAFERNIER. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Fred Dakota, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

(Fred Dakota out of the room)

[Skip to New Business]

1. Mike Bianco, Fire Chief, on behalf of the L'Anse Fire Department, personally thanked the Council for all of the support they have received throughout the years and for the help in the recent Pinery Fire.

**MOTION MADE BY ELIZABETH "CHIZ" MATTHEWS TO GO INTO CLOSED SESSION AT 3:02 P.M. SUPPORTED BY WILLIAM E. EMERY. SIX IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Elizabeth "Chiz" Matthews, Isabelle H. Welsh), TWO OPPOSED (Fred Dakota, Elizabeth D. Mayo), ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

**MOTION MADE BY TONI J. MINTON TO GO INTO OPEN SESSION AT 4:08 P.M. SUPPORTED BY ELIZABETH "CHIZ" MATTHEWS. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

I. Old Business:

1. Susan LaFerner, Vice-President – Clarify Effective Date of the Gaming Commissioner's Staggered Terms

**MOTION MADE BY SUSAN J. LAFERNIER TO APPROVE THE STAGGERED TERMS FOR THE GAMING COMMISSIONERS AS THE FOLLOWING: A THREE YEAR TERM FOR DALE SHALIFOE, A TWO YEAR TERM FOR MIKE DUSCHENE, AND A ONE YEAR TERM FOR JIM RASANEN PER THE APRIL 17, 2009 TRIBAL COUNCIL MEETING WITH THE EFFECTIVE DATE OF AUGUST 1, 2009. SUPPORTED BY TONI J. MINTON. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

Stephanie D. Pinnow – Training of health staff on data collection processes/techniques June – August 2009 -

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE THE SERVICES AGREEMENT BETWEEN THE COMMUNITY AND STEPHANIE PINNOW. SUPPORTED BY ISABELLE H. WELSH. EIGHT IN FAVOR (Susan J. LaFerner, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth "Chiz" Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFerner, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

(2) Bids for the redevelopment of Well #3 at the Hatchery to improve the production and increase the efficiency of the well –

**MOTION MADE BY ELIZABETH D. MAYO TO APPROVE LARSON WELL DRILLING FOR THE FISH HATCHERY WELL #3 IN THE AMOUNT OF \$7,000.00 AND TO APPROVE THE SERVICES AGREEMENT. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

J. New Business:

2. Arlan Friisvall, Maintenance Director – Resolution KB-1686-2009 (Sanitary Facility Projects) under PL 93-638 Individual Water and Septic Services I.H.S. 2009 Contract

**MOTION MADE BY FRED DAKOTA TO APPROVE RESOLUTION KB-1686-2009 INDIVIDUAL WATER AND SEPTIC SERVICES I.H.S. 2009 CONTRACT. SUPPORTED BY JERRY LEE CURTIS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

3. Christoph Geiger, Attorney – Renewal of Jerry Magnant and Kerry Varline Fireworks Permit for 3 months

**MOTION MADE BY FRED DAKOTA TO APPROVE THE FIREWORKS PERMIT FOR JERRY MAGNANT AND KERRY VARLINE. SUPPORTED BY ELIZABETH D. MAYO. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

4. Todd Warner, NRD –
  - a) Ottawa National Forest Resource Advisory Committee (RAC) Request. They make recommendations on the use and expenditure of federal funding made available to Gogebic and Ontonagon Counties through the 2008 Secure Rural Schools and Community Self-Determination Act. Fred Dakota volunteered to sit on the Advisory Committee.
  - b) Summer Youth Conservation Crew – The crews will be doing summer work around the reservation, off the reservation and partnering with Superior Watershed Partnership. They are funding this from the 2% money they received. They will have two crews due to the amount of interest. Todd presented two options for the Council to consider: 1) An additional \$7,150 to fund two crews if two vans are rented, fueled and insured by

Superior Watershed Partnership. 2) Provide vans, gas and/or cover insurance costs then the amount of additional funds needed to cover the cost of two crews would be less.

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE OPTION ONE REGARDING THE SUMMER YOUTH CREW, PENDING FUNDING THROUGH THE SUMMER YOUTH PROGRAM. SUPPORTED BY SUSAN J. LAFERNIER. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

- c) Laugh’s Lake – Todd suggested to start the application process per the Natural Resource Committee to get a permit from the Army Corps of Engineers to rebuild the impoundment at the outflow drainage.

**MOTION MADE BY FRED DAKOTA TO HAVE TODD WARNER GO FORWARD WITH THE PERMIT PROCESS WITH THE CORPS OF ENGINEERS AND SEEK FUNDING TO REBUILD THE LAKE. SUPPORTED BY ELIZABETH “CHIZ” MATTHEWS. EIGHT IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Elizabeth D. Mayo, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, THREE ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr.), MOTION CARRIED.**

5. President Swartz –

- a) Council reviewed the 2009 Pinery Fire Burned Area Emergency Stabilization Plan prepared by the BAER (Burned Area Emergency Response) Team – the plan has been submitted to the BIA and a decision will be made within six days as to the approval for funding.

**Elizabeth D. Mayo left at 4:45 p.m.**

- b) Resolution KB-1687-2009 Support for NMU Center for Native American Studies “Healthy Minds, Healthy Nations” Grant application through the U.S. Department of Justice

**MOTION MADE BY WILLIAM E. EMERY TO APPROVE RESOLUTION KB-1687-2009 SUPPORT FOR NMU CENTER FOR NATIVE AMERICAN STUDIES “HEALTHY MINDS, HEALTHY NATIONS” GRANT APPLICATION. SUPPORTED BY ISABELLE H. WELSH. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

- c) The Zaagkii Project 2009 from the Cedar Tree Institute for the establishment of a Native Plants greenhouse with KBNRD with a 2 to 1 match for a total of \$24,000.00

**MOTION MADE BY TONI J. MINTON TO APPROVE THE \$8,000.00 CASH MATCH DONATION FOR THE ZAAGKII PROJECT. SUPPORTED BY ISABELLE H. WELSH. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

6. Larry Denomie III, CEO – [Postponed to June 6, 2009]  
a) Even Start Building Renovation  
b) Schedule Enterprise Employee Grievance Hearing Date for Case #012-09

L. Adjournment:

**MOTION MADE BY FRED DAKOTA TO ADJOURN AT 4:57 P.M. SUPPORTED BY ISABELLE H. WELSH. SEVEN IN FAVOR (Susan J. LaFernier, Toni J. Minton, William E. Emery, Jerry Lee Curtis, Fred Dakota, Elizabeth “Chiz” Matthews, Isabelle H. Welsh), OPPOSED - 0, ABSTAINING - 0, FOUR ABSENT (Jennifer Misegan, Michael F. LaFernier, Sr., Gary F. Loonsfoot, Sr., Elizabeth D. Mayo), MOTION CARRIED.**

Respectfully submitted,

Peggy Minton  
Administrative Specialist